

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROGER THORSON

Plaintiff

versus

CIVIL ACTION NO. 4:08-CV-00129-WAP-DAS

CHRISTOPHER EPPS, et al.,

Defendants

DEFENDANTS' MOTION TO DISMISS

COMES NOW Defendants, Christopher Epps, et al. (collectively referred to as “the State”) and file this Motion to Dismiss pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure. Pursuant to the Memorandum of Authorities accompanying this Motion, the State Defendants respectfully request that this Court grant this Motion.

Wherefore, premises considered, the State Defendants respectfully request that this Court GRANT the present Motion to Dismiss.

Respectfully submitted,

JIM HOOD
ATTORNEY GENERAL
STATE OF MISSISSIPPI

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BY: *s/ JASON L. DAVIS*

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CERTIFICATE OF SERVICE

This is to certify that I, Jason L. Davis, Special Assistant Attorney General for the State of Mississippi, have electronically filed the foregoing MOTION TO DISMISS PLAINTIFF'S COMPLAINT FOR EQUITABLE AND INJUNCTIVE RELIEF with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Jim Davis
1904 24th Avenue
Post Office Box 1839
Gulfport, MS 39502-1839

This the 10th day of November, 2008.

s/ JASON L. DAVIS